



AN ACT ESTABLISHING THE SHAKEN BABY SYNDROME EDUCATION PROGRAM; REQUIRING THE PREPARATION AND DISTRIBUTION OF SHAKEN BABY SYNDROME EDUCATIONAL MATERIALS; AND PROVIDING EFFECTIVE DATES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Information on shaken baby syndrome -- program. (1) There is a shaken baby syndrome education program established in the department.

(2) The department shall:

(a) develop educational materials that present readily comprehensible information on shaken baby syndrome; and

(b) post the materials on the department's website in an easily accessible format.

(3) The materials required to be produced by this section must be distributed at no cost to the recipients.

(4) For purposes of [sections 1 and 2], the following definitions apply:

(a) "Child care facility" means a day-care center, day-care facility, family day-care home, or group day-care home as those terms are defined in 52-2-703.

(b) "Department" means the department of public health and human services provided for in 2-15-2201.

(c) "Hospital" means a hospital, as defined in 50-5-101, that regularly provides maternity, pediatric, or obstetrical care.

(d) "Parent" means either parent, unless the parents are not married or are separated or divorced, in which case, the term means the custodial parent. The term also means a prospective adoptive parent or foster parent with whom the child is placed.

(e) "Shaken baby syndrome" means damage to the brain of an infant or young child, including but not limited to swelling that impedes the supply of oxygen to the brain or any degree of brain damage that results from the infant or young child having been forcefully shaken.

Section 2. Information on shaken baby syndrome -- distribution. A copy of the shaken baby syndrome educational materials developed under [section 1] must be distributed in the following manner:

- (1) by childbirth educators and staff of pediatric physicians' offices and obstetricians' offices to an expectant parent who uses the services of the educators or physicians;
- (2) by a hospital in which a child is born to the child's parent before the child is discharged from the facility;
- (3) by service providers under the MIAMI project, provided for in 50-19-311, to a child's parent during visits conducted in accordance with that project;
- (4) by each child-care facility operating in this state to each of its employees; and
- (5) by groups or entities that offer classes for babysitters.

Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 50, chapter 16, part 1, and the provisions of Title 50 apply to [sections 1 and 2].

Section 4. Effective dates. (1) Except as provided in subsection (2), [this act] is effective July 1, 2009.
(2) [Section 2] is effective November 1, 2009.

- END -

I hereby certify that the within bill,
SB 0442, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2009.

Speaker of the House

Signed this _____ day
of _____, 2009.

SENATE BILL NO. 442

INTRODUCED BY J. LASLOVICH

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